

Duke, Daphne

223504

From: Dong, Randall
Sent: Friday, April 16, 2010 9:57 AM
To: Mac Brice
Cc: nsedwar@regstaff.sc.gov
Subject: RE: DN 2009-382-WS -- Petition of the Office of Regulatory Staff for a Declaratory Order Against Nature's Development Incorporated Requiring Certification as a Water/Sewer Utility and the Posting of a Performance Bond

Mr. Brice:

Thanks for your quick response. Please forward those materials to Ms. Edwards at ORS as well. As soon as we get them, we can make a determination as to whether the hearing on Wednesday will be necessary.

--Randall Dong

-----Original Message-----

From: Mac Brice [mailto:mac@thebricelawfirm.com]
Sent: Friday, April 16, 2010 9:52 AM
To: Dong, Randall
Cc: 'Katie Thorpe'
Subject: RE: DN 2009-382-WS -- Petition of the Office of Regulatory Staff for a Declaratory Order Against Nature's Development Incorporated Requiring Certification as a Water/Sewer Utility and the Posting of a Performance Bond

Dear Mr. Dong,

I will be forwarding to you, shortly, copies of the subdivision restrictions created upon this subdivision and the deed where Mrs. Mack obtained the return of the subdivision in lieu of foreclosure. I will also attach a draft of an assignment to the Homeowners associations for timber crest of all rights and obligations regarding to water and sewer systems.

Timber Crest, f/k/a Mack Estates, is the subdivision in question where water is being provided to approximately 9 homes.

I understand that this should resolve the matter by turning the system over to and HOA.

Timbercrest Homeowners Association, Inc. is a valid and existing S.C. Corp.

If necessary, I will attend the hearing on Mrs. Mack's behalf, but her health will not allow her to be present personally.

The original delay in this matter was that Mrs. Mack has sold, and owner financed, a majority of the lots to a developer and had to work out the return of those lots.

Let me know if this will be sufficient, upon receipt, to avoid the hearing.

Thank you,

Mac Brice

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P.O. Drawer 300

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803-684-4462
803-684-3507 (fax)

-----Original Message-----

From: Dong, Randall [mailto:Randall.Dong@psc.sc.gov]
Sent: Friday, April 16, 2010 9:38 AM
To: mac@thebricelawfirm.com; nsewar@regstaff.sc.gov
Subject: DN 2009-382-WS -- Petition of the Office of Regulatory Staff for a Declaratory Order Against Nature's Development Incorporated Requiring Certification as a Water/Sewer Utility and the Posting of a Performance Bond

Dear Counsel:

A hearing in this matter has been scheduled for Wednesday, April 21, 2010 following the regularly scheduled Commission meeting. Please advise us as soon as possible whether Nature's Development will have taken the action referenced in Counsel's January 19, 2010 letter or whether the Company plans to attend and participate in the hearing.
Thanks very much for your cooperation.

B. Randall Dong, Staff Counsel
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